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EXPRESS MAIL CERTIFICATE

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Typed or Printed Name	Bonnie Wharton	Express Mail No.	EL 521 948 902 US
Signature	<i>Bonnie Wharton</i>	Date	December 27, 1999

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL  
NO FEE ENCLOSED  
DO NOT CHARGE DEPOSIT  
ACCOUNT**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Atty Docket No.	TOSK-004
First Named Inventor	Patrick Fogarty
Title	<i>In Vivo High Throughput Toxicology Screening Method</i>

12/27/99  
JCE190 U.S. PTO  
09/472654

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

Assistant Commissioner for Patents  
Address to: Box Patent Application  
Washington, D.C. 20231

1. ☒ Specification (includes cover page) Total Pages 21  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure
3. ☐ Drawing(s) (35 USC 113) Total Sheets
4. ☒ Oath or Declaration Total Sheets 2
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d)  
(for continuation/divisional with Box 16 completed)
  - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting  
inventor(s) named in the prior application,  
see 37 CFR 1.63(d)(2) and 1.33(b)
  - c. ☐ Unsigned

5. ☐ Microfiche Computer Program (*Appendix*)
6. ☐ Nucleotide and/or Amino Acid Sequence Submission  
(*if applicable, all necessary*)
  - a. ☐ Computer Readable Copy
  - b. ☐ Paper Copy (identical to computer copy)
  - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. ☒ Assignment Papers (cover sheet & document(s))
8. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(*when there is an assignee*)
9. ☐ English Translation Document (*if applicable*)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)  
(*Should be specifically itemized*)
13. ☒ Small Entity ☐ Statement filed in prior application  
Statement(s) Status still proper and desired
14. ☐ Certified Copy of Priority Document(s)  
(*if foreign priority is claimed*)
15. ☒ Other: Fee Transmittal Sheet

16a. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:  
☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.   /

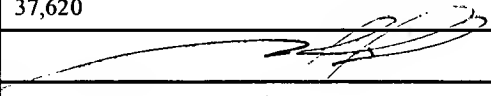
**UTILITY PATENT APPLICATION TRANSMITTAL**  
(Only for new non-provisional applications under 37 CFR 1.53(b))

16b. If a CONVERSION from a PROVISIONAL APPLICATION, *supply the requisite information:*  
Conversion of prior provisional application No. 60/ 147,220, filed August 4, 1999.

**17. CORRESPONDENCE ADDRESS**

Individual Name	Bret Field		
Firm Name	BOZICEVIC, FIELD & FRANCIS LLP		
Address	285 Hamilton Avenue, Suite 200		
City, State, Zip	Palo Alto, California 94301		
Country	U.S.A.		
Telephone	(650) 327-3400	Facsimile	(650) 327-3231

**SIGNATURE of Applicant or Assignee of Record**

Individual Name	Bret Field
Registration No.	37,620
Signature	
Date	12.27.99

DOCUMENT\osk\004\Transmittal to App.wpd

**STATEMENT CLAIMING  
SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27 (c))  
SMALL BUSINESS CONCERN**

Attorney Docket	TOSK-004
First Named Inventor	Fogarty
Application Number	
Filing Date	December 27, 1999
Title	In Vivo High Throughput...

I hereby state that I am:

☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: Tosk, Inc.  
ADDRESS OF SMALL BUSINESS CONCERN: 122 16<sup>th</sup> Avenue  
San Mateo CA 94402

I hereby state that the above-identified small business concern qualifies as a small business concern as defined in 37 CFR 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in: In Vivo High Throughput Toxicology Screening Method

☒ the specification filed herewith with title as listed above.  
☐ the application identified above.  
☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or by a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

☒ no such person, concern, or organization exists.  
☐ each such person, concern, or organization is listed below.

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

SIGNATURE Patrick Fogarty DATE: December 23, 1999  
NAME OF PERSON SIGNING: Patrick Fogarty  
TITLE IN ORGANIZATION OF PERSON SIGNING: CEO  
ADDRESS OF PERSON SIGNING: 122 16<sup>th</sup> Avenue, San Mateo CA 94402

# FEE TRANSMITTAL

Note: Effective October 1, 1998.  
Patent fees are subject to annual revision.

Attorney Docket Number	OSK-004
First Named Inventor	Patrick Fogarty
Application Number	N/A
Filing Date	December 27, 1999
Group Art Unit	N/A
Examiner Name	N/A

## METHOD OF PAYMENT

- ☒ A CHECK IS ENCLOSED
- ☒ The Commissioner is hereby authorized to charge any additional fees including fees required under 37 CFR 1.16 and 1.17 and credit any overpayments to:  
Deposit Account No. 50-0815.  
Deposit Account Name: Bozicevic, Field & Francis LLP

## FEE CALCULATION

### 1. FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Due
101	760	201	380	Utility filing fee	\$380.00
102	310	206	155	Design filing fee	
104	480	207	240	Plant filing fee	
109	760	208	380	Reissue filing fee	
110	150	214	75	Provisional filing fee	
Subtotal (1)					\$380.00

### 2. CLAIMS

No. of claims as filed or after amendment	Most claims previously paid	Extra claims	Fee from below	Fee Due
Total claims 20	20	0	0	\$0
Ind. claims 4	3	1	39	\$39.00
Multiple Dependent claims		0	0	\$0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependent claim
109	78	209	39	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of and over original patent

Subtotal (2) \$39.00

### ADDITIONAL FEES

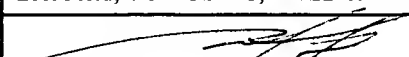
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Due
109	130	205	65	Surcharge - late filing fee or oath	
139	130	139	130	Non-English specification	
115	110	215	55	Ext. for reply within first month	
117	870	217	435	Ext. for reply within third month	
128	1,850	228	925	Ext. for reply within fifth month	
120	300	220	150	Filing brief in support of appeal	
140	110	240	55	Petition to revive - unavoidable	
142	1,210	242	605	Utility issue fee (or reissue)	
123	50	123	50	Petitions related to prov. appl.	
146	760	246	380	Filing submission after final rejection (37 CFR 1.129(a))	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
143	430	243	215	Design issue fee	
581	40	581	40	Recording patent assignment	
				Other fee (specify)	

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$40.00

TOTAL AMOUNT ENCLOSED (\$549.00)

### SUBMITTED BY

Typed or Printed Name	Bret Field, BOZICEVIC, FIELD & FRANCIS LLP	Reg. Number	37,620
Signature		Deposit Account	50-0815
Date	12-27-99		